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tigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose," approved June 7, 1913: *Provided*, That all expenditures connected therewith shall be audited by the board of control and paid in accordance with the provisions of this act.

SEC. 2. This act, inasmuch as it provides for an appropriation for the usual current expenses of the State, shall, under the provisions of section 1 of Article IV of the constitution of the State of California, take effect July 1, 1915.

Sanitary Districts—Validation of Organization and Changes of Boundaries. (Act May 27, 1915.)

SECTION 1. All sanitary districts formed under the provisions of an act entitled "An act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State for the constructing of sewers and other sanitary purposes, the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds and the disposal of their proceeds," approved March 31, 1891, and the acts amendatory and supplementary thereto, and which sanitary districts have acted in the form and manner of sanitary districts under the provisions of said act, are hereby declared to be and have been sanitary districts from the date of the entry in the minutes of the board of supervisors of an order that the sanitary district has been duly established and all proceedings of the sanitary districts, whereby the boundaries thereof have been altered and outlying contiguous territory in the same county as such sanitary district, annexed thereto, and all other acts of said sanitary districts heretofore performed according to the act aforesaid, are hereby validated and declared to be legal.

Mosquitoes, Flies, and Other Insects—Abatement Districts Authorized. (Act May 29, 1915.)

SECTION 1. Mosquito-abatement districts may be organized and incorporated and managed as herein expressly provided, and may exercise the powers herein expressly granted or necessarily implied.

SEC. 2. Any county, or city and county, or portion of a county, or city and county, whether such portion includes incorporated territory or not, in the State of California, having a population of not less than 100 inhabitants, may be created a mosquito-abatement district under the provisions of this act by procedeing as herein provided.

SEC. 3. A petition, which may consist of any number of separate instruments, shall be presented at a regular meeting of the board of supervisors of the county in which the proposed mosquito-abatement district is located, signed by the registered voters within the boundaries of the proposed district, equal in number to at least 10 per cent of the number of votes cast in said proposed district for the office of governor of this State at the last general election prior to the presenting of the petition: *Provided*, That where one or more municipal corporations or part thereof is included in such proposed mosquito-abatement district, such petition must be signed by at least 10 per cent of the qualified electors of such municipal corporations or part thereof and of the unincorporated territory included in such proposed district, and in addition thereto the common council, board of trustees, or other governing body of each such municipality shall by resolution, duly authenticated, request the inclusion of such incorporated territory in such district.

Such petition shall set forth and describe the proposed boundaries of such district, and shall pray that the same be created under the provisions of this act, and the text of such petition shall be published for at least two weeks before the time at which the

same is to be presented in a newspaper printed and published in such county, and also a newspaper printed and published in each municipal corporation or part thereof included in such proposed district, and if there be no newspaper published in any such municipal corporation, the text of such petition shall be posted for the same length of time as required to be published, in three public places within such municipal corporation or part thereof included in such proposed district, and the text of such petition so published or posted shall have annexed thereto a notice stating the time of the meeting of the board of supervisors at which the same will be presented. When contained upon more than one instrument, one copy only of such petition need be published and posted. No more than five of the names attached to said petition need appear in such publication or posting of said petition and notice, but the number of signers shall be stated.

With such publication there shall also be published, and if posted, there shall also be posted, a notice of the time of the meeting of the board when such petition will be considered, and that all persons interested therein may then appear and be heard.

At such time the board of supervisors shall hear the petition and those appearing thereon, and also all protests and objections to the same, and may adjourn such hearing from time to time, not exceeding two months in all. No defect in the contents of the petition or in the title to or form of the notice or signatures, or lack of signatures thereto, shall vitiate any proceedings thereon, provided such petition or petitions have a sufficient number of qualified signatures attached thereto. On the final hearing said board shall make such changes in the proposed boundaries as may be deemed advisable and shall define and establish such boundaries: *Provided*, That if said board deems it proper to include therein any territory not included within the said proposed boundaries, they shall first cause notice of their intention so to do to be mailed to each owner of land within said territory proposed to be included whose name appears as such on the last completed assessment roll of the county or city and county wherein said territory lies, addressed to such owner at his address given on such assessment roll, or if no address is so given, then to his last known address; or if it be not known, then at the county seat of the county in which his land lies, which said notice shall describe the territory so proposed to be included, and shall fix a time, not less than two weeks from the date of mailing thereof, when all persons interested may appear before said board and be heard: *And, further provided*, That the boundaries lying within a municipal corporation shall not be altered unless the municipal board of such municipal corporation shall, by resolution, assent to the alteration of such boundaries therein.

Upon such hearing of such petition the board shall determine whether or not the public necessity or welfare of the proposed territory and of the inhabitants thereof requires the formation of such district, and shall also determine whether or not said petition complies with the provisions of this act, and for that purpose must hear all competent and relevant testimony offered in support of or in opposition thereto. A finding of the board of supervisors in favor of the genuineness and sufficiency of the petition and notice shall be final and conclusive against all persons except the State of California, upon suit commenced by the attorney general. If, from the testimony adduced before said board, it appears to said board that the public necessity or welfare requires the formation of such district, the said board shall, by an order entered on its minutes, declare such to be its finding, and shall further declare and order that the territory within the boundaries so fixed and determined, be created a mosquito abatement district, under an appropriate name to be selected by said board, which name shall contain the words "Mosquito abatement district." The county clerk shall immediately cause to be filed with the secretary of state a certified copy of such order of the board of supervisors, and from and after the date of the filing of such certified copy, the district named therein shall be deemed incorporated as a mosquito abatement district, with all the rights, privileges, and powers set forth in this act, and necessarily incident thereto.

SEC. 4. Within 30 days after the said filing with the secretary of state of the certificate of incorporation of said district, a governing board of trustees for said district shall be appointed. Said board shall consist of one trustee to be appointed from said district at large by said board of supervisors and of one trustee to be appointed from each municipality in said district by the governing board of such municipality: *Provided*, That if the board of trustees thereby created shall consist of less than five members, then the board of supervisors shall appoint from such district at large enough additional members to make a board of five trustees. The governing board of such district shall be called "The Board of Trustees of ——— Mosquito Abatement District." Each trustee appointed by a municipal board shall be an elector of the municipality from which he is appointed, and each appointee of the board of supervisors shall be an elector of the district. All such trustees shall hold office for the term of two years from and after the second day of the calendar year succeeding their appointment: *Provided, however*, That the first board of trustees appointed under the provisions of this act shall, at their first meeting, so classify themselves by lot that one-half of their number, if the total membership is an even number, and if uneven then that a bare majority of their number shall go out of office at the expiration of one year and the remainder at the expiration of two years, from the second day of the calendar year succeeding their appointment.

SEC. 5. The members of the board of trustees shall meet on the first Monday subsequent to 30 days after the filing with the secretary of state of the certificate of incorporation of said district and shall organize by the election of one of their members as president and one thereof as secretary. The members of the board shall serve without compensation except that the necessary expenses of each member for actual traveling expenses on meetings or business connected with said board shall be allowed and paid. In event of the resignation, death, or disability of any member, his successor shall be appointed by the board of supervisors, if such board originally made such appointment, or by the governing board of the appropriate municipality, if such appointment were originally made by the board of a municipality. The board of trustees shall provide for the time and place of holding its regular meetings, and the manner of calling the same, and shall establish rules for its proceedings. Special meetings shall be called by three trustees and notice of the holding thereof shall be given to each member at least three hours before the meeting. All of its sessions, whether regular or special, shall be open to the public, and a majority of the members of the board shall constitute a quorum for the transaction of business.

SEC. 6. The board of trustees of such district shall have power to take all necessary or proper steps for the extermination of mosquitoes, flies, or other insects within the district, and subject to the paramount control of the municipal or other public authorities, to abate as nuisances all stagnant pools of water and other breeding places for mosquitoes, flies, or other insects within the district; to purchase such supplies and materials and to employ such labor as may be necessary or proper in furtherance of the objects of this act, and if necessary or proper, in the furtherance of the same, to build, construct, and thereafter to repair and maintain, necessary levees, cuts, canals, or channels upon any land within the district, and to acquire by purchase, condemnation, or by other lawful means, in the name of the district, any necessary lands, rights of way, easements, property, or material requisite or necessary for any of such purposes; to make contracts to indemnify or compensate any owner of land or other property for any injury or damage necessarily caused by the exercise of the powers by this act conferred or arising out of the use, taking, or damage of such property for any of such purposes, and generally to do any and all things necessary or incident to the powers hereby granted and to carry out the objects specified herein.

SEC. 7. The board of trustees of each mosquito abatement district shall, at least 15 days before the first day of the month in which the board of supervisors of the county, or city and county, in which such district is situate is required by law to levy the

amount of taxes required for county, or city and county, purposes, furnish to the board of supervisors and to the county auditor, respectively, an estimate in writing of the amount of money necessary for all purposes required under the provisions of this act during the next ensuing fiscal year. The board of supervisors of such county, or city and county, shall thereafter, at the time and in the manner of levying other county, or city and county, taxes levy upon all of the taxable property within the district and cause to be collected a tax to be known as the "——— mosquito abatement district tax," the maximum rate of which must not be greater than sufficient to raise the amount estimated to be raised by the said board of trustees of the district, nor in any event shall such tax exceed 10 cents on each $100 of taxable property in such district.

Whenever it appears to the board of trustees of such district that the amount of funds required during the next ensuing fiscal year shall exceed the maximum amount which the supervisors are authorized to levy for the annual district tax, as hereinabove in this section provided, then said board of trustees may in their judgment call an election and submit to the electors of the district the question of whether a tax shall be voted for raising the necessary additional funds, and notice thereof shall be published for at least four weeks prior to such election in a newspaper printed and published in such district: *Provided*, That no particular form of ballot shall be required nor shall any formalities in conducting such election invalidate the same if the election shall have otherwise been fairly conducted. At such election the ballots must contain the words "Shall the district vote a tax to raise the additional sum of $———?" The board of trustees shall canvass said votes cast at such election and if a majority of the votes cast are in favor of the imposition of said tax the board of trustees must report the same to the board of supervisors, stating the additional amount of money required to be raised. The board of supervisors shall at the time of levying the county taxes, levy an additional tax upon all of the taxable property in the district voting such additional tax sufficient to raise the amount voted.

All taxes levied under the provision of this section shall be computed and entered on the county assessment roll by the county auditor, and collected at the same time and in the same manner as state and county taxes; and when collected shall be paid into the county treasury for the use of the district.

The funds shall be withdrawn from the county treasury upon the warrant of the board of trustees of such district signed by the president or acting president of the board, and countersigned by its secretary.

SEC. 8. Any territory, incorporated or unincorporated, lying adjacent and contiguous to a mosquito abatement district, may be added and annexed to such district, at any time, upon proceedings being had and taken as in this act provided. The board of trustees of such district, upon receiving a written petition therefor containing a description of the new territory sought to be annexed to such district, signed by the owners comprising more than one-half of the assessed value of such territory as shown by the last county assessment roll, must thereupon submit to the electors of the district and also to the electors residing in the territory sought to be annexed, the proposition of whether such proposed territory shall be annexed and added to such district. The proposition to be submitted to the electors at such election, both within said district and within said territory so proposed to be annexed, shall be as follows: "For annexation," or "Against annexation," or words equivalent thereto. Such election must be called and held, and notice thereof shall be published for at least four weeks prior to such election in a newspaper printed and published in such district, and also in a newspaper printed and published in such territory so proposed to be annexed. The board of trustees shall canvass, separately, the votes cast within said district, and the votes cast within said territory so proposed to be annexed, and if it shall appear from such canvass that a majority of all the ballots cast in such district and a majority of all the ballots cast in such territory so proposed to be annexed are

in favor of annexation, the board of trustees shall certify such fact to the secretary of state describing said property proposed to be annexed and upon receipt of such last mentioned certificate, the secretary of state shall thereupon issue his certificate reciting that the territory (describing the same) has been annexed and added to the ——— mosquito abatement district (naming it), and a copy of such certificate of the secretary of state shall be transmitted to and filed with the county clerk of the county, or city and county, in which such mosquito abatement district is situated. From and after the date of such certificate the territory named therein shall be deemed added and annexed to and form a part of said mosquito abatement district, with all the rights, privileges and powers set forth in this act and necessarily incident thereto. If the property so proposed to be annexed is included within a municipality, consent to such annexation shall first be obtained from the governing board of such municipality, and an authenticated copy of the resolution or order of such board so consenting to such annexation, shall be attached to the petition, and be made a part thereof.

SEC. 9. The district may at any time be dissolved upon the vote of two-thirds of the qualified electors thereof, upon an election called by its board of trustees upon the question of dissolution, and the proposition which shall be submitted to the electors at such election shall be as follows: "Shall the district be dissolved?" Such election must be called and held; and notice thereof shall be published for at least four weeks prior to such election in a newspaper printed and published in such district. If two-thirds of the votes at such election shall be in favor of the dissolution of the district, the board of trustees shall certify such fact to the secretary of state, and upon receipt of such last-mentioned certificate the secretary of state shall thereupon issue his certificate reciting that the mosquito abatement district (naming it) has been dissolved, and a copy of such certificate of the secretary of state shall be transmitted to and filed with the county clerk of the county, or city and county, in which such mosquito abatement district is situated. From and after the date of such certificate the district named therein shall be deemed disincorporated, and the property of the district shall thereupon vest in the county, or city and county wherein said district is situate, if the district at the time of its dissolution comprises unincorporated territory alone, and if it comprises incorporated territory alone, or partly incorporated and partly unincorporated territory, then in such event its property shall be ratably apportioned among the several municipalities and the county or city and county, in proportion to the assessed value of the property included within said district as shown upon the last county assessment roll: *Provided, however*, That any real property, easements, or rights of way belonging to said district shall in such event remain the property of the municipality wherein the same is situate, if situated within incorporated territory, otherwise the same shall remain the property of the county.

SEC. 10. Every notice herein required to be published may be published in a daily or weekly or semiweekly newspaper; and if there is no daily or weekly or semiweekly newspaper published within the district or within a subdivision thereof or other territory wherein the same is required to be published, then such notice shall be posted for the length of time herein required for the publication of the same in three public places of such district or such subdivision thereof or such other territory as the case may be. The term "municipality," as used in this act, shall include a consolidated city and county, city or town, and shall be understood and so construed as to include, and is hereby declared to include, all corporations heretofore organized and now existing, and those hereafter organized, for municipal purposes. The word "district" shall apply, unless otherwise expressed or used, to a mosquito abatement district formed under the provisions of this act, and the word "trustees" and the words "board of trustees," shall apply to the trustees and to the board of trustees of such district.

SEC. 11. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the

remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

MINNESOTA.

Tuberculosis—Patients at the State Sanatorium to be Employed by the State Forester. (Chap. 325, Act Apr. 24, 1915.)

SECTION 1. The State forester is hereby authorized and directed that in the employment of labor whenever it is necessary to reforest the State lands of the State, or to perform such other labor as will by him be deemed proper in the care of such lands, he shall consult the superintendent of the State sanatorium for consumptives and find from such superintendent those persons who are able to perform labor who have received treatment at said sanatorium or a county sanatorium for three months and shall in the employment of such laborers give preference to those who are in his judgment competent to perform such labor.

SEC. 2. The compensation to be paid for such labor shall be the same as that received by others for like services.

County Tuberculosis Sanatoria—Establishment and Maintenance. (Chap. 270, Act Apr. 23, 1915.)

SECTION 1. That section 717 of the General Statutes of Minnesota for the year 1913 be, and the same hereby is, amended to read as follows:

717. The board of county commissioners of any county in this State or the boards of county commissioners in any group of counties in this State shall have and are hereby granted and given power with the advice and approval of the advisory commission of the Minnesota Sanatorium for Consumptives to establish and maintain as hereinafter provided a sanatorium for the treatment and care of persons affected with tuberculosis, provided that said power so granted shall be exercised as follows:

(*a*) Such sanatorium may be established by a majority vote of the commissioners of such county or a majority vote of the commissioners of each such group of counties whenever and in cases where the amount of the cost of construction to be paid by such county or group of counties shall not exceed such sum as may be raised by a tax levy of not to exceed 1 mill on the dollar of the taxable property of any such county or group of counties.

(*b*) When the cost of constructing said sanatorium shall exceed the amount specified in subdivision "a" thereof, or whenever it is necessary to issue the bonds of such county or any county in any such group of counties to defray the cost which such county or any of such counties are required to pay under the terms of this act, then and in all such cases the question of (1) whether such sanatorium shall be established (and when necessary) (2) Whether such bonds shall be issued to defray any county's portion of the cost thereof, shall be submitted to the voters of such county or, if more than one, to the voters of each of such counties requiring a bond issue, and the sanatorium shall not be established or bonds issued therefor unless a majority of the voters of such county, or, if more than one, of each such county voting thereon shall vote in favor of each proposition submitted to it or to them.

(*c*) The board of county commissioners of any such county, or, if more than one, the board of county commissioners of any such counties shall have the power and authority in any case to submit the questions to the voters of any such county or counties in any way and manner provided in this act, and in the event that the cost which the county, or, if more than one, the counties will be required to pay for the erection of such sanatorium under this act shall be less than an amount equal to the amount which can be